



Appeal Decision

Site visit made on 18 January 2023

by J Wellstead BA(Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2023

Appeal Ref: APP/M5450/W/22/3304409

98 Vernon Drive, Harrow, Stanmore HA7 2BL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr M Bhattarai against the decision of London Borough of Harrow.
 - The application Ref P/1834/22, dated 19 May 2022, was refused by notice dated 14 July 2022.
 - The development proposed is the proposed extension and conversion of garage to form self-contained dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have been supplied with a number of amended plans for the proposed development. The amendments shown on these drawings are minor in nature, comprising the introduction of a courtyard at the rear of the proposed development, and bin and cycle storage to the front. Due to the limited nature of these alterations, I am satisfied that no prejudice would occur to any party as a result of my consideration of their content, and accordingly, my decision is based on the amended drawings.

Main Issues

3. The main issues are the effect the development would have on the character and appearance of the surrounding area; whether the development would provide acceptable living conditions for future occupiers, with particular reference to privacy, amenity space, bin storage and cycle storage; and the effect on the living conditions of occupiers of the host property, with particular reference to privacy.

Reasons

Character and appearance

4. The appeal site currently consists of a two-storey detached dwelling with a double garage, that is located in the corner of a cul-de-sac in a predominantly residential area. The proposal is for the conversion of the garage into a one bed self-contained flat, and side extension between the garage and host property.
5. The area consists primarily of semi-detached, pitched-roofed, two storey houses with garages. The pattern of development in the immediate urban area is predominantly uniform in terms of layout, following clearly defined building

lines. The properties within the cul-de-sac are in general harmony with each other in terms of their character and appearance. The appeal property has an existing side garage with a flat roof which reflects other similar properties that lie within the area in terms of design, scale and materials.

6. The proposed alterations to the front elevation would be prominent in the street scene and involve two new windows and the replacement of the garage door with a front entrance door. The materials used would match the host property.
7. The proposed flat roof bungalow and its positioning at a right angle to the host property would combine to make the new dwelling contrast with other dwellings in this section of the street scene. Although there is no additional building proposed, the new front door and two new windows on the side elevation would create an impression of a new dwelling which would not reflect the character of the main house. It would appear to be an incongruous addition to the host site and at odds with the prevailing character and appearance of the area.
8. The proposed development would cause harm to the character and appearance of the area, and therefore would conflict with policies D3 (11) of the London Plan (2021), Policy CS1.B of the Harrow Core Strategy (2012), Policy DM1 of the Development Management Policies, and Supplementary Planning Document (SPD) on Residential Design (2010). Policy D3 seeks development that respects, enhances and utilises the architectural features that contribute towards local character. Policy CS1.B resists development that would harm the character of suburban areas and garden development. Policy DM1 seeks to resist developments that harm the local character and appearance of the area. The Harrow Residential Design Guide SPD 2010 requires extensions to reflect the scale and architectural style of the original dwellinghouse.

Living conditions – Future occupiers

9. The proposed lounge/kitchen windows positioned on the front elevation of the dwelling would face directly onto the open space to the side of the garage. They would enable a direct view from the adjacent public open space into the dwelling. It has been brought to my attention that it is not uncommon to have windows sited next to footpaths and open space, and the open space will not attract heavy passing pedestrian traffic. However, in this area there are no other residential dwellings with windows directly facing onto open space; other properties are set back from the open space and the area is well suited for recreational use as I saw at my site visit. Given that the front elevation directly abuts the open space, there is no option to provide screening or a boundary treatment to provide privacy. Therefore, these windows would not allow for sufficient privacy and so would fail to provide acceptable living conditions for future occupiers.
10. The drawings indicate that the courtyard area would be of an adequate size to satisfy the minimum private outdoor space requirements of Policy D6 and the Harrow Residential Design Guide SPD. The adjacent open space would also compensate for the small size of the courtyard. Therefore, the future occupiers of the development would have acceptable amenity space.
11. The amended drawings indicate the provision of bin storage and a cycle locker area in front of the entrance to the new residential unit. The bin storage would

be located and screened to avoid visual impact. The addition of cycle storage would align with the aspirations of Policy D3 of The London Plan 2021 which seeks to encourage active travel by including cycle parking in new developments. Also, Policy D6 of The London Plan 2021 requires adequate and easily accessible recycling and food waste storage. Nevertheless, these additions do not outweigh the harms identified above.

12. Accordingly, the proposal would fail to provide acceptable living conditions for future occupiers. This would conflict with Policies D3(7) and D6 of The London Plan (2021), Policies DM1, DM26 and DM27 of the Harrow Development Management Policies Plan 2013, and the Adopted Supplementary Planning Document: Residential Design Guide 2010. Policies D3 and D6 together seek to deliver development proposals that should provide appropriately sized private outdoor space with appropriate outlook, privacy and amenity. Policy DM1 requires new developments to achieve a high standard of privacy and amenity. Policy DM26 seeks to ensure new development provides a satisfactory environment in terms of privacy and outlook. Policy DM27 seeks to ensure an appropriate amount of amenity space. The Harrow Residential Design Guide SPD 2010 requires extensions to not result in a significant loss of privacy to neighbouring properties and gardens.

Living conditions - host property

13. The proposal would have large, glazed patio doors that face the private courtyard area and host property rear garden beyond. The proposed boundary fence is positioned at the same level as the garage and host property garden. It is situated at a close distance to the rear of the glazed patio doors and would obstruct the majority of views so any view over the fence is limited and therefore meets the SPD and the Policy requirements. I therefore consider that the positioning of these windows would result in a minor loss of privacy for the rear garden of the host property but would broadly align with the amenity considerations set out in the Harrow Residential Design Guide SPD.
14. Accordingly, the proposal would provide suitable living conditions for the host property, compliant with Policies D3(7) and D6 of The London Plan (2021), Policies DM1, DM26 and DM27 of the Harrow Development Management Policies Plan 2013, and the Adopted Supplementary Planning Document: Residential Design Guide 2010. The aims of these policies are as set out above.

Other Matters

15. My attention has been drawn to the benefits of the proposed development in providing a windfall contribution towards the housing land supply within the Borough. The benefit of one additional house in an accessible location is limited by the scale of development. Likewise, the wider economic benefits during the construction phase are limited, but nevertheless carry modest weight in favour of the development.

Conclusion

16. For the reasons given, I conclude that the development conflicts with the development plan, read as a whole. No material considerations have been shown to carry sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, the appeal is dismissed.

J Wellstead

INSPECTOR